

The Commonwealth of Massachusetts

JOURNAL OF THE HOUSE.



THURSDAY, DECEMBER 24, 2009.

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JOURNAL OF THE HOUSE.

Thursday, December 24, 2009.

Met according to adjournment, at eleven o'clock A.M., in an Informal Session, with Mr. Donato of Medford in the Chair (having been appointed by the Speaker, under authority conferred by Rule 5, to perform the duties of the Chair).

Prayer was offered by the Reverend Robert F. Quinn, C.S.P., Chaplain of the House, as follows:

God, Our Creator, we try each day to keep clear in our minds and hearts Your presence in our daily lives. Our intention each day is to serve You, our families and our constituents in a conscientious and honorable manner. We pray for Your assistance in our effort to be successful in carrying out our goals. Tomorrow the Christian community throughout the world will observe and celebrate Christmas, the birth of Jesus Christ in Bethlehem. Christmas is a day on which many Christians attend religious services as they turn their thoughts to the teachings, the spiritual values and the practical ways of living which are found in His life. May the spirit of the day and the season be a spirit of joy, personal peace and good will towards all; and may a concern for the needs of others remain with us throughout the new year. Merry Christmas!

Prayer.

Grant Your blessings to the Speaker, the members and employees of this House and to their families. Amen.

At the request of the Chair (Mr. Donato), the members, guests and employees joined with him in reciting the pledge of allegiance to the flag.

Pledge of
allegiance.

Resolutions.

The following resolutions (filed with the Clerk) were referred, under Rule 85, to the committee on Rules:

Resolutions (filed by Mrs. Poirier of North Attleborough) congratulating Alexander Curley on receiving the Eagle Scout Award of the Boy Scouts of America;

Alexander Curley.

Resolutions (filed by Mrs. Poirier of North Attleborough) congratulating John Trout on receiving the Eagle Scout Award of the Boy Scouts of America;

John Trout.

Resolutions (filed by Mrs. Poirier of North Attleborough) congratulating William Trout on receiving the Eagle Scout Award of the Boy Scouts of America; and

William Trout.

Resolutions (filed by Messrs. Kafka of Stoughton and Galvin of Canton) congratulating Zachary Martin Schwartz of Stoughton Boy Scout Troop 516 on earning the Eagle Scout Award.

Zachary Martin
Schwartz.

Mr. Binienda of Worcester, for the committee on Rules, reported, in each instance, that the resolutions ought to be adopted. Under suspension of the rules, in each instance, on motion of Mr. Fagan of Taunton, resolutions (reported by the

committee on Bills in the Third Reading to be correctly drawn) were considered forthwith; and they were adopted.

Annual Report.

The annual report of the Division of Standards (under Section 57 of Chapter 98 of the General Laws) for work completed in calendar year 2008, was placed on file.

Division of
Standards.

Petitions.

Petitions severally were presented and referred as follows:

By Mr. Garballey of Arlington, petition (accompanied by bill, House, No. 4403) of Sean Garballey, Kenneth J. Donnelly and others (by vote of the town) relative to a ballot question authorizing the granting of three additional licenses for the sale of alcoholic beverages in the town of Arlington. To the committee on Election Laws.

Arlington—
ballot question.

By Mrs. Campbell of Methuen, petition (accompanied by bill, House, No. 4404) of Linda Dean Campbell (with the approval of the mayor and city council) that the city of Methuen be authorized to borrow money for the payment of certain final judgements. To the committee on Municipalities and Regional Government.

Methuen,—
borrowing.

By Representative Richardson of Framingham and Senator Spilka, joint petition (accompanied by bill, House, No. 4405) of Pam Richardson, Karen E. Spilka and Tom Sannicandro (with the approval of the mayor and city council) that the town of Framingham be authorized to promote fire fighter John Costanza. To the committee on Public Service.

Framingham,—
John Costanza.

Severally sent to the Senate for concurrence.

Paper from the Senate.

A petition (accompanied by bill, Senate, No. 2234) of Therese Murray, Timothy Madden and Matthew C. Patrick (by vote of the town) for legislation relative to the financing of wind energy facilities in the town of Falmouth, was referred, in concurrence, to the committee on Telecommunications, Utilities and Energy.

Falmouth,—
wind energy.

Reports of Committees.

By Mr. Kafka of Stoughton, for the committee on Steering, Policy and Scheduling, that the House Bill validating the actions taken at the annual town election held in the town of Plympton (printed in House, No. 4286) be scheduled for consideration by the House.

Plympton,—
annual election.

Under suspension of Rule 7A, on motion of Mr. Smizik of Brookline, the bill was read a second time forthwith; and it was ordered to a third reading.

By Mr. Murphy of Burlington, for the committee on Ways and Means, that the Senate Bill relative to vocational education (Senate, No. 253, amended) ought to pass with an amendment by striking out all after the enacting clause and inserting in place thereof the text contained in House document numbered 4406. Referred, under Rule 7A, to the committee on Steering, Policy and Scheduling.

Vocational
education.

Mr. Kafka of Stoughton, for the committee on Steering, Policy and Scheduling, then reported that the matter be scheduled for consideration by the House, with the amendment pending.

Under suspension of Rule 7A, on motion of Ms. Provost of Somerville, the bill was read a second time forthwith.

The amendment recommended by the committee on Ways and Means was adopted; and the bill (Senate, No. 253, amended) was ordered to a third reading.

By Mr. Murphy of Burlington, for the committee on Ways and Means, that the House Bill relative to a wastewater management district in the town of Harvard (House, No. 1130) ought to pass with an amendment by substitution of a bill with the same title (House, No. 4407). Referred, under Rule 7A, to the committee on Steering, Policy and Scheduling.

Concord,—
wastewater
district.

Mr. Kafka of Stoughton, for the committee on Steering, Policy and Scheduling, then reported that the matter be scheduled for consideration by the House, with the amendment pending.

Under suspension of Rule 7A, on motion of Mr. Smizik of Brookline, the bill was read a second time forthwith.

The amendment recommended by the committee on Ways and Means was adopted; and the substituted bill was ordered to a third reading.

By Mr. Murphy of Burlington, for the committee on Ways and Means, that the House Bill relative to the University of Massachusetts police department (House, No. 2209) ought to pass with an amendment by substitution of a bill with the same title (House, No. 4409). Referred, under Rule 7A, to the committee on Steering, Policy and Scheduling.

UMass,—
police
department.

Mr. Kafka of Stoughton, for the committee on Steering, Policy and Scheduling, then reported that the matter be scheduled for consideration by the House, with the amendment pending.

Under suspension of Rule 7A, on motion of Mr. Fagan of Taunton, the bill was read a second time forthwith.

The amendment recommended by the committee on Ways and Means was adopted; and the substituted bill was ordered to a third reading.

By Mr. Murphy of Burlington, for the committee on Ways and Means, that the House Bill to authorize the town of Chelmsford to regulate the removal of above ground utility poles and overhead wires and other associated structures and to regulate the installation of underground wires and associated structures (House, No. 3700) ought to pass with an amendment by substitution of a bill with the same title (House, No. 4408). Referred, under Rule 7A, to the committee on Steering, Policy and Scheduling.

Chelmsford,—
utility poles.

Mr. Kafka of Stoughton, for the committee on Steering, Policy and Scheduling, then reported that the matter be scheduled for consideration by the House, with the amendment pending.

Under suspension of Rule 7A, on motion of Mr. Fagan of Taunton, the bill was read a second time forthwith.

The amendment recommended by the committee on Ways and Means was adopted; and the substituted bill was ordered to a third reading.

By Mr. Moran of Boston, for the committee on Election Laws, on a message

Concord, —
town election.

from His Excellency the Governor, a Bill validating the actions taken at the annual town election in the town of Concord (printed in House, No. 4397).

By Mr. Spellane of Worcester, for the committee on Public Service, on a petition, a Bill relative increasing the pension benefits payable to Aquinnah Sarah Burgess by the Attleboro retirement system (printed as Senate, No. 2179).

Attleboro, —
Sarah Burgess.

By Mr. Keenan of Salem, for the committee on Tourism, Arts and Cultural Development, on a petition, a Bill relative to the Williamstown Library Board of Trustees (House, No. 1921).

Williamstown, —
library.

Severally read; and referred, under Rule 7A, to the committee on Steering, Policy and Scheduling.

Emergency Measures.

The engrossed Bill establishing a sick leave bank for John Bevelaqua an employee of the Department of Energy Resources (see House, No. 4263, amended) having been certified by the Clerk to be rightly and truly prepared for final passage, was considered, the question being on adopting the emergency preamble.

John Bevelaqua,—
sick leave bank.

A separate vote was taken, as required by the provisions of Article XLVIII (as amended by Article LXVII) of the Amendments to the Constitution; and the preamble was adopted, by a vote of 4 to 0. Sent to the Senate for concurrence.

Subsequently, the Senate having concurred in adoption of the emergency preamble, the bill (which originated in the Senate) was passed to be enacted; and it was signed by the acting Speaker and Senate to the Senate.

Bill enacted.

The engrossed Bill establishing a sick leave bank for William Sinclair, an employee of the Department of Correction (see House, No. 4337, amended) having been certified by the Clerk to be rightly and truly prepared for final passage, was considered, the question being on adopting the emergency preamble.

William Sinclair,—
sick leave bank.

A separate vote was taken, as required by the provisions of Article XLVIII (as amended by Article LXVII) of the Amendments to the Constitution; and the preamble was adopted, by a vote of 4 to 0. Sent to the Senate for concurrence.

Subsequently, the Senate having concurred in adoption of the emergency preamble, the bill (which originated in the Senate) was passed to be enacted; and it was signed by the acting Speaker and Senate to the Senate.

Bill enacted.

Engrossed Bills.

Engrossed bills

Authorizing the town of Westborough to grant an additional license for the sale of all alcoholic beverages to be drunk on the premises (see House, No. 1891); and

Bills
enacted.

Authorizing the town of Westborough to grant an additional license for the sale of all alcoholic beverages to be drunk on the premises (see House, No. 1892);

(Which severally originated in the House);

Severally having been certified by the Clerk to be rightly and truly prepared for final passage, were passed to be enacted; and they were signed by the acting Speaker and sent to the Senate.

Order.

On motion of Mr. DeLeo of Winthrop,—

Ordered, That when the House adjourns today, it adjourn to meet on Monday next at eleven o'clock A.M.

Next
sitting.

At a quarter after eleven o'clock A.M., on motion of Mr. Hill of Ipswich (Mr. Donato of Medford being in the Chair), the House adjourned, to meet the following Monday at eleven o'clock A.M., in an Informal Session.